

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

HSBC BANK USA, NATIONAL
ASSOCIATION, As Trustee In Trust For
Citigroup Mortgage Loan Trust Inc., Asset Backed
Pass Through Certificates Series 2003-HE4,

Plaintiff,

v.

RICHARD HINE a/k/a Rick R. Hine a/k/a Richard
Robert Hine a/k/a Rick Mine, SHERRI HINE a/k/a
Sherri L. Hine, NINA NELSON a/k/a Nina Lee
Nelson, BOB NELSON a/k/a Robert M. Nelson,
UNITED STATES OF AMERICA, and
UNKNOWN OWNERS AND NON-RECORD
CLAIMANTS,

Defendant.

Case No. 13-cv-374-JPG-SCW

MEMORANDUM AND ORDER

This matter comes before the Court on the plaintiff's motion to dismiss (Doc. 39), which the Court construes as a notice of dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). Rule 41(a)(1)(A)(i) allows a plaintiff to dismiss an action without a court order at any time before the opposing party serves an answer or a motion for summary judgment. The defendants sought to be dismissed have not served an answer or motion for summary judgment in this case. Because the plaintiff has an absolute right to dismiss this case against those defendants at the present time, the Court finds that those defendants are **DISMISSED** from this action **without prejudice** and **DIRECTS** the Clerk of Court to enter judgment accordingly at the close of the case.

IT IS SO ORDERED.

DATED: March 14, 2014

s/J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE